



# **LAOIS COUNTY COUNCIL COMHAIRLE CHONTAE LAOISE**

## **Policy on Acceptable Customer Behaviour**

### **1. Introduction**

- 1.1 Laois County Council is committed to dealing with all customers equitably, comprehensively, and in a timely manner.
- 1.2 Any member of the public accessing these premises is required to comply with this policy, the Customer Charter, Code of Conduct and any other relevant policies or guidelines.
- 1.3 Laois County Council will not normally limit the contact which customers have with Council staff or offices unless deemed necessary.
- 1.4 Laois County Council does not expect staff to tolerate unacceptable behaviour by any customer. Unacceptable behaviour includes behaviour which is abusive, racist, sexist, offensive, threatening, verbally and/or non-verbally intimidating and may include:
  - Using abusive or foul language on the telephone,
  - Using abusive or foul language face to face,
  - Sending excessive and/or abusive emails,
  - Leaving excessive and/or abusive voicemails, or
  - Leaving abusive messages on social media sites.
- 1.5 Laois County Council will take action to protect staff from such behaviour. If a customer behaves in a way that is unreasonable, persistent or vexatious, this policy will be followed.
- 1.6 Raising legitimate queries or criticisms should not in itself lead to a customer being regarded as vexatious or as unreasonably persistent.

- 1.7 Similarly, the fact that a customer is unhappy with the decision of the Council and seeks to challenge it once, or more than once, should not necessarily cause him or her to be labelled vexatious or unreasonably persistent.

## **2. Aim of this policy**

- 2.1 The aim of this policy is to contribute to our overall aim of dealing with all customers in ways which are demonstrably consistent, fair and reasonable and to underpin Laois County Council's compliance with the requirements of the Safety Health and Welfare at Work Act 2005.
- 2.2 It sets out how Laois County Council will decide on how issues which are considered to come within the terms of this policy will be treated, and what the Council will do in those circumstances. The policy is for the information of Staff, Elected Members, Customers and members of the public.

## **3. Definitions**

- 3.1 For the purposes of this Policy the definition of violence/aggression/abusive behaviour includes:

*(a) Any incident in which an employee feels abused, threatened or assaulted in circumstances related to, or arising out of, or in the course of their duties which may involve an explicit or implicit challenge to their safety, well being or health on Council facilities or elsewhere.*

- 3.2 Violence/Aggression may, inter alia, take the form of:

- *Verbal abuse - directly or via the telephone/written – letter/email/social media,*
- *Verbal and Non-Verbal Intimidation,*
- *Racial, sexual, disability or other related harassment,*
- *Physical assault,*
- *Verbal assault,*
- *Threatening behaviour,*
- *Implied threat including threats of self-harm,*
- *The use of animals to assault or intimidate,*
- *Pre-meditated violence and aggression,*
- *Violence which is not pre-meditated, and*
- *Aggression which is not pre-meditated.*

- 3.3 An unreasonably persistent and/or vexatious customer may display the following behaviour:

- Harasses or verbally abuses or otherwise seek to intimidate staff by use of foul or inappropriate language or by the use of offensive and racist language,
- Behaves in a manner which is considered to be disruptive, violent, aggressive or in an abusive fashion towards a member of staff or another member of the public,
- Refuses to specify the grounds of their query/request despite offers of assistance,
- Makes an unreasonable number of contacts with the Council, by any means,
- Makes persistent and unreasonable demands or expectations of staff after the unreasonableness of their actions has been explained to the customer (an example of this could be a customer who insists on immediate responses to numerous, frequent and/or queries, letters, faxes, telephone calls or emails),
- Refuses to accept that some issues are not within the power of the Council to investigate, change or influence (examples could be a complaint about a private car park, or an issue that is the responsibility of another organisation),
- Electronically records meetings and conversations without the prior knowledge and consent of the other person involved,
- Persistently approaches the Council through different routes about the same issue,
- Persists in seeking an outcome which the Council have already explained is unrealistic for legal or policy (or other valid) reasons,
- Refuses to accept documented evidence as factual,
- Complains about or challenges an issue based on a historic and irreversible decision or incident,
- Combines some or all of these features.

#### **4. General**

- 4.1 Áras an Chontae is a building used for the work of Laois County Council, i.e. the administration of the local authority and access to the public is mainly available between the hours of 9.00 am to 5.00 pm Monday to Friday (excluding Bank Holidays) for customers who need to access Council services. Reduced public opening hours applies to some services. Access to

- this and other Council buildings is with the implied permission of Laois County Council which can be withdrawn.
- 4.2 Smoking is prohibited in accordance with the Tobacco Smoking (Prohibition) Regulations 2003. The use of electronic smoking devices is also prohibited in accordance with the Council's policy on the Prohibition of Smoking in the Workplace Policy dated June 2014. This applies to Áras an Chontae and campus and Council buildings.
  - 4.3 The consumption of alcohol on these premises is prohibited.
  - 4.4 The use of or possession of illicit drugs on these premises is prohibited.
  - 4.5 CCTV is in operation throughout the building and grounds in order to ensure the protection of both staff and customers.
  - 4.6 Circumstances may arise where it is appropriate to immediately request a customer to leave the premises.
  - 4.7 Where a customer appears to be in breach of acceptable behaviour, the customer will be politely requested to alter or modify their behaviour.
  - 4.8 Should the unacceptable behaviour continue, then the customer will again be requested to alter or modify their behaviour and in addition, be warned that the continuation of such behaviour may result in being requested to leave the premises.
  - 4.9 If the unacceptable behaviour continues, the customer may be requested to leave the premises.
  - 4.10 A customer, who remains on the premises beyond a reasonable time necessary to complete the transaction, may be requested to leave the premises.
  - 4.11 Any customer, who remains on the premises after a request to leave has been issued, may be regarded as a trespasser.
  - 4.12 The Council in such circumstances as is deemed fit by them, may request the assistance of An Garda Síochána to remove the customer from the premises.
  - 4.13 Incidents of unacceptable behaviour will be recorded and may be used by the Council when considering the imposition of restrictions.

## **5. Customer Obligations/Responsibilities**

- 5.1 To treat the staff of Laois County Council in a courteous, and civil manner during all dealings with them.

- 5.2 To provide full and accurate information, so that the Council can access records and meet the request/needs,
- 5.3 To behave with respect and consideration for other members of the public,
- 5.4 Not to remain on the premises beyond a reasonable period necessary to complete their transaction with the Council or beyond official closing times,
- 5.5 As a member of the public, not to remain on the premises beyond the duration of a public meeting/event,
- 5.6 To comply with directions outlined in public notices and those given by staff and/or agents acting on behalf of the Council.
- 5.7 In particular:
  - Not to behave in a disruptive, violent, aggressive or abusive fashion towards a member of staff,
  - Not to behave in a disruptive, violent, aggressive or abusive fashion towards a member of the public,
  - Not to engage in verbal and/or non-verbal intimidation.
  - No member of the public should carry out either video recording or audio recording on the premises without the specific written authorisation of the Director of Services, Corporate Affairs.
  - To leave the premises peacefully when so requested by a staff member
  - To ensure that children are accompanied and supervised at all times while on the premises,
  - Not to bring any animals, except assistance animals, onto the premises.

## **6. Imposing Restrictions**

- 6.1 In the first instance the Head of Section or Director of Services as appropriate will consult with the Director of Services, Corporate Affairs or his or her Designated Officer prior to issuing a verbal warning to the customer advising them that their behaviour is not acceptable. The Head of Section or Director of Services as appropriate will engage with the customer either in person, by phone, in writing or by email to explain that their behaviour is causing concern, and to request the customer to change this behaviour. The Head of Section or Director of Services as appropriate will explain the actions that the Council may take if the behaviour does not change.
- 6.2 If the disruptive behaviour continues, the Head of Section or Director of Services as appropriate will consult with the Director of Services, Corporate Affairs or his or her Designated Officer who will issue a letter to the customer advising them that their behaviour is unacceptable and that unless same is

modified, permission to access to Council buildings may be restricted. A copy of the correspondence will also be sent to the relevant Head of Section or Director of Services as appropriate.

- 6.3 Where Laois County Council considers the imposition of restrictions appropriate following incidents of unacceptable behaviour, the Director of Services, Corporate Affairs or his or her Designated Officer will contact the customer in writing (and/or as appropriate) to explain:
- Why the Council has taken the decision
  - What action the Council are taking
  - The duration of that action
  - The alternative means by which the Customer can conduct business with the Council
  - The review process of this policy and
  - The right to appeal the decision in accordance with the Council's Customer Complaints Procedure.
- 6.4 A copy of this policy will be enclosed with the letter to the customer.
- 6.5 Where a customer continues to behave in a way which is unacceptable, the Director of Services, Corporate Affairs or his or her Designated Officer in consultation with the relevant Head of Section or Director of Services as appropriate may decide to refuse all contact with the customer.
- 6.6 Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, other options may be considered, including reporting the matter to An Garda Síochána. In such cases, the Council may not give the customer prior warning of that action. Other options that may be considered by the Council may also include the taking of appropriate legal proceedings against an individual or group of individuals who behaves in a violent and aggressive manner.
- 6.7 Restrictions imposed on the Councils' contact with customers, will be recorded and notified to those who need to know within Laois County Council.
- 6.8 Any restriction that is imposed on the customers' contact with the Council will be appropriate and proportionate and the customer will be advised that permission to access Áras an Chontae is temporarily withdrawn and the period of time the restriction will be in place for. In most cases restrictions will apply for periods between 3 and 6 months but in exceptional cases the period of restriction may be extended. In such cases the restrictions would be reviewed on a quarterly basis.
- 6.9 Where such action is taken and a customer's access is restricted, an alternative means by which the customer can conduct business with the Council will be provided to the customer. This may be in the form of written

correspondence with a designated member of the Council staff and the details of same will be provided to the customer.

6.10 Other restrictions in addition to the above may also include the following having regard to the specific circumstances:

- Prohibit the customer from making contact by telephone except through a third party e.g. Solicitor/Councillor/Friend acting on their behalf, the details of which will be agreed with the Director of Corporate Affairs or his or her Designated Officer.
- Prohibit the customer from sending emails to specific individual(s) and insisting they only correspond with the Council by letter.
- Prohibit the customer from using any of the Council's services e.g. libraries or leisure centres,
- Prohibit the customer from accessing any council building except by appointment,
- Requiring contact to take place with one named member of the Council's staff only,
- Restricting telephone calls to specified days/times/duration,
- Requiring any personal contact to take place in the presence of an appropriate witness,
- Entering into an Acceptable Behaviour Agreement with the Council.

## **7. Review**

7.1 The status of each restriction will be reviewed by the Director of Services, Corporate Affairs or his or her Designated Officer after three months and at the end of every subsequent three months within the period during which the restriction applies and will advise the relevant Head of Section in relation to same.

7.2 The customer will be informed of the result of this review if the decision to apply this policy to them has been changed or extended.

## **8. Record Keeping**

8.1 Adequate records will be retained by the Director of Services, Corporate Affairs or his or her Designated Officer of the details of the case and the action that has been taken as follows:

- The name and address of each customer who is considered to have breached this policy,
- When the restrictions came into force and ends
- What the restrictions are
- When the customer and sections were advised

## **9. Appeals**

- 9.1 If, as a member of the public or a customer, you are still dissatisfied with the Council's decision or response in relation to any matter in connection with this policy, the matter may be appealed in accordance with the Council's Customer Complaints Procedure.

**Adopted by Laois County Council at its meeting held Monday 29<sup>th</sup> May 2017.**